

JANUARY 5, 2016

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, January 5, 2016.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioner Clarke was absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 16-3016, 16-3026, 16-3029, 16-3041, 16-3025 and 16-3027 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION

16-3033 CONSULT WITH ATTORNEY

It was noted that there was no Consult with Attorney matter to be discussed in Closed Session.

The Board dined and talked in general. There were no formal matters to be discussed.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

JANUARY 5, 2016

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Chairman Fuller, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to move Item 16-3027 Proclamation-Human Trafficking Awareness Month from Consent to Awards/Recognition.

16-3027 PROCLAMATION -- HUMAN TRAFFICKING AWARENESS MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a joint proclamation designating January 2016 as Human Trafficking Awareness Month in Charlotte and Mecklenburg County.

Note: According to the National Human Trafficking Resource Center, North Carolina is #10 in the United States (as of 2014), and the City of Charlotte is considered the #1 destination in North Carolina for trafficking.

A copy of the proclamation is on file with the Clerk to the Board.

The proclamation was read by Chairman Fuller and received by Mike Sexton with Mecklenburg County Community Support Services, Mark Blackwell with Justice Ministries and Angelica Bolden with Dress for Success. They each commented on efforts being made to address this issue in the community.

PUBLIC APPEARANCE

16-3030 PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the agenda.

APPOINTMENTS - NONE

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

County Manager Diorio announced the ribbon cutting for the new Land Use and Environmental Services Agency (LUESA) headquarters located at 2145 Suttle Avenue on January 8 at 10:00 a.m. County Manager Diorio said the project was completed on time and under budget.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS

16-3037 ATHLETIC SPORTS LIGHTING -- SOUTHWEST COMMUNITY PARK

Marcy Mars, Procurement Director presented information regarding Athletic Lighting Projects and in particular, a contract for the athletic sports lighting and installation of the lighting for two championship sized baseball fields at the upcoming Southwest Community Park. The fields will be located behind the existing Southview Recreation Center at 1720 Vilma Street.

Comments

Commissioner Dunlap asked about the selection process for obtaining a third party vendor, which was addressed.

Commissioner Dunlap asked for clarity around determining the responsiveness of a bidder, which was addressed.

Commissioner Cotham asked about the number of companies that did this type of lighting work and about the bidding process, which was addressed.

Commissioner Leake asked about the timeline for completion, which was addressed.

Commissioner Ridenhour asked about the response of vendors and about the need to rebid, which was addressed.

County Attorney Bethune addressed the statutory process associated with this type of bidding.

Commissioner Ridenhour noted the receipt of concerns from other vendors regarding the selection of Musco.

Matthew Newlon with Procurement addressed the bidding process and concerns that were raised.

Commissioner Puckett asked about the bid specifications used, which was addressed.

Mary (Kim) Reitterer, PE with Elm Engineering, Inc. addressed the technical aspects of the specifications, which she wrote. She addressed the differences in the bids received and why one was determined responsive and the other non-responsive.

Commissioner Puckett said he was now clear on why the decision was made to go with Musco. He cautioned staff, however, to not get into a long term contract with a vendor, in light of rapid changes in lighting technology. Commissioner Puckett said he would prefer looking at it on a case by case basis when the need arose.

Commissioner James commented on Musco's ability to control the lighting system and other differences between its technology and other vendors to date.

Commissioner Clarke entered the meeting.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to receive information regarding Athletic Lighting Projects as presented by staff and to award a construction contract to Musco Sports Lighting, LLC in the amount of \$729,000 for two championship sized baseball fields at the upcoming Southwest Community Park.

JANUARY 5, 2016

**16-3043 MECKLENBURG COUNTY AND CHARLOTTE MECKLENBURG PUBLIC
LIBRARY INTERLOCAL AGREEMENT AND MEMORANDUM OF
UNDERSTANDING RENEWAL**

Deputy County Manager/Chief of Staff Chris Peek and Library Chief Executive Officer Lee Keesler, addressed the Interlocal Agreement and Memorandum of Understanding between the County and the Library.

Comments

Commissioner Leake asked for clarity around the purpose of the agreement, which was addressed.

Commissioner Scarborough questioned the involvement of representatives from the general public in the review of these documents. She said in the past there was a library committee, separate and apart from the Board of Trustees, that provided input to the Board of Trustees on various matters.

It was noted that the Library Board of Trustees represented the community.

Commissioner Scarborough said in her opinion the Library Board of Trustees lacked diversity.

CEO Keesler said he felt the Library Board of Trustees was a diverse board, but that perhaps Commissioner Scarborough was speaking of a different type of diversity. He said he would be happy to speak with Commissioner Scarborough regarding her concern.

Commissioner Scarborough expressed concern regarding persons being removed and/or banned from the library.

Commissioner Cotham suggested the Library consider having consumers on their board or someone from a non-profit that worked with individuals that were out of work and used the library as a resource for finding employment.

Commissioner Cotham said she, too, had heard from persons who had been banned from the library. She suggested the Library review its policy regarding conduct and removal from the library.

Commissioner Scarborough said she was concerned about the interlocal agreement, in particular, the section regarding Authority of the Mediator.

Commissioner Scarborough asked if a resident could be dismissed from the library and if so, for what reasons and for how long. Commissioner Scarborough said she would like to know who serves as the mediator.

Chairman Fuller noted that the section Commissioner Scarborough referred to address the mediation of differences that may occur between the County and the Library regarding the agreement and not differences between the Library and library patrons.

County Attorney Bethune addressed the mediation process pertaining to the County and the Library.

CEO Keesler addressed Commissioner Scarborough's question regarding the removal of library patrons from the library because of conduct. He noted the Library's policy regarding conduct and the appeal process.

JANUARY 5, 2016

Commissioner Scarborough said her request was that the Library be consistent in the handling of this issue. She said she was aware of some inconsistencies and that she would follow up with CEO Keesler regarding that.

Motion was made by Commissioner Ridenhour, seconded by Commissioner James and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Ridenhour voting yes and Commissioner Scarborough voting no, to adopt a resolution approving the Mecklenburg County and the Charlotte Mecklenburg Public Library Amended Interlocal Agreement.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
2016 RESOLUTION AMENDING THE
INTERLOCAL AGREEMENT
WITH THE PUBLIC LIBRARY OF CHARLOTTE
AND MECKLENBURG COUNTY**

***WHEREAS**, N.C. General Statute 160A-460, et seq., authorizes units of local government to jointly exercise any function which they have been granted the power to exercise alone, or to contract with the other for the exercise of any governmental function which they have been granted the power to exercise alone, and to enter into contracts and agreements to specify the details of these undertaking; and*

***WHEREAS, THE PUBLIC LIBRARY OF CHARLOTTE AND MECKLENBURG COUNTY** (hereinafter "Library"), a body corporate created by the North Carolina General Assembly, and **MECKLENBURG COUNTY** (hereinafter "County"), a political subdivision of the State of North Carolina, negotiated and executed an Interlocal Agreement effective June 30, 2010 for the provision of Facility Management and Security Services by the County for the Library as more particularly described in the Interlocal Agreement; and*

***WHEREAS**, in 2012 the Library and the County amended the Interlocal Agreement providing for the County to provide the additional services of Capital Project Management, Human Resources, and Information Technology Services for the Library effective July 1, 2012; and*

***WHEREAS**, the Library and the County have negotiated additional changes to the Interlocal Agreement to become effective July 1, 2015; and*

***WHEREAS**, in order to formalize this relationship, the Library and the County will need to enter into an Amended Interlocal Agreement pursuant to N.C.G.S. 160A-461; now, therefore, be it*

***RESOLVED** by the Mecklenburg Board of County Commissioners, in regular session duly assembled, that that the Chairman of the Board of County Commissioners is hereby authorized to execute the Amended Interlocal Agreement with the Library in substantially the form presented to the Board, and that this Resolution shall be made a part of the minutes of the Board of Commissioners.*

Resolution/Agreement recorded in full in Minute Book _____, Document # _____.

COUNTY COMMISSIONERS REPORTS & REQUESTS

16-3049 BOARD COMMITTEES (CHAIRMAN FULLER)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to re-affirm the following Board committees for calendar year 2016:

- 1) Economic Development Committee
- 2) Health and Human Services Committee
- 3) Intergovernmental Relations Committee

- 4) Performance Review Committee
- 5) Audit Review Committee

Note: The Board's Policy and Standard Operating Procedures for Board Committees states at its first regular meeting in January each year, the Board will establish, re-affirm or dissolve standing committees as determined by a majority vote of the Board. The policy also states the Board Chairman will appoint members and the chairs of the standing committees for one-year terms, or until the Board re-affirms or dissolves the standing committee.

16-3051 CHARLOTTE REGIONAL TRANSPORTATION PLANNING ORGANIZATION (CRTPO) (COMMISSIONER PUCKETT)

Commissioner Puckett addressed the need for the Board to direct its representative and/or alternate on the Charlotte Regional Transportation Planning Organization (CRTPO), as allowed per Board policy, on how to vote at the next meeting of the CRTPO.

Note: The Board's representative on the CRTPO was Commissioner Clarke. Commissioner Puckett was the alternate.

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough, to direct the Board's representative and/or alternate to vote, at the next meeting of the Charlotte Regional Transportation Planning Organization (CRTPO), to pull or support pulling the I-77 contract out of the approved Transportation Improvement Program (TIP) and ask that it be cancelled; and that the project then be placed in the current funding process to be scored and managed as per the North Carolina Department of Transportation (NCDOT) recommendation; such that it is consistent with all regional management plans; and should the vote for whatever reason be to only offering the affirmative of toll managed lanes as the best method of road funding as currently outlined, we vote no as to the affirmation.

Commissioner Puckett spoke in opposition to the I-77 toll road project in the northern part of the county. Commissioner Puckett noted the following:

- Governor McCrory sent this matter back to the CRTPO, which Commissioner Puckett said was unfortunate.
- Per the CRTPO weighing system, it effectively meant, Charlotte City Council's vote would determine the outcome because of the number of votes it had.
- This was a matter that should have been handled by the Governor via executive order and through the NC Department of Transportation.
- The contract in question was between the vendor and the State and not Charlotte City Council or the CRTPO.
- Individuals in opposition to this process, ability to speak to this matter was limited.
- A brief history was given of how things got to this point.
- Congestion was addressed. It was noted that the area around this portion of I-77 (north Mecklenburg County and south Iredell County) since 1990 had grown 533% and that "not one single new lane had been added."
- Adding the toll lane only adds capacity by 20%, but it does not add capacity for the people that live in Huntersville, Cornelius, or Davidson and to a lesser degree Mooresville because of the design.
- The toll lane would not help congestion because you can't functionally use the toll lane and get around in that part of the county.
- NCDOT was now saying that this was not about a congestion issue, but that this was an alternative.
- For those in District 1, this was not an option, since they can't use the toll lane by design.

JANUARY 5, 2016

- This was an option that would allow people “with money” to take advantage of, because of the potential cost associated with using the toll lane.
- It’s his understanding that the design being used was not done by NCDOT, but the City of Charlotte’s DOT.
- Initially it was said the I-77 project could not be pulled from the TIP, however, it’s his understanding that per state statute an individual project can be removed. Thus, the TIP can be altered and it would not jeopardize the other projects.
- This project should be pulled and sent back to the NCDOT with the request that another solution be developed to build a road project that adds capacity and works with everything else that’s approved in the TIP.
- If you’re in the transportation business you should be able to make adjustments.
- The cost to get out of the contract keeps fluctuating.
- In the long run money would be saved if the contract was cancelled.
- Charlotte City Council was encouraged to remember who their partners were, Mecklenburg County and the residents of north Mecklenburg.
- Charlotte City Council was encouraged to vote for the removal of this project.
- Commissioner Puckett said there was a difference between managed lanes and a P3.

Ned Curran, Chairman of the N.C. Board of Transportation, Warren Cooksey with the N.C. Department of Transportation and Scott Cole with the N.C. Department of Transportation were present and appeared before the Board.

Mr. Curran noted the following in response to Commissioner Puckett’s remarks:

- This was a congestion solution, per the NCDOT.
- It was not said that you could not take a project out of the State Transportation Improvement Program (STIP). The confusion about this probably related to the action by the MPO late last summer. It was noted that what was said was the STIP, a 10-year list of projects, had to conform with the same list of projects that the state previously passed and then conform with the USDOT Plan.
- Once the STIP was passed then a project could be removed.
- Charlotte DOT did not do the design. It was a design build facility.
- Charlotte DOT, as well as, NCDOT was weighing in on the design as that project was let.
- He was not aware of the amounts of \$15 million to \$300 million referenced by Commissioner Puckett regarding information from the State Auditor around what it would cost to cancel the contract.
- He was “perplexed” by the statement that money would be saved if the contract was cancelled.
- If the contract was cancelled the state would have to pay a cancellation fee. The amount of that fee would not be known until the actual time of the cancellation.
- Several projects that were a part of the bonus funded projects would go away because the projects would no longer qualify. About 17 projects were noted that would not occur if the contract was cancelled, many of those projects were in north Mecklenburg.
- Mr. Curran commented on the benefit of a transportation “system” to a region.
- Mr. Curran said the Governor asked for the “opinion” of the local area and that he asked it of a body that had 24 municipalities represented on it, CRTPO.
- The City of Charlotte dominates in voting but it does not control the CRTPO.
- He concurred that for decades this area of the state had not gotten a share of the resources that’s commensurate with its growth.
- As a result of growth, additional tools were needed to address congestion. “It can’t just be about adding lanes,” because experience showed that added lanes “simply fill up.”
- Managed lanes for this particular corridor were the result of a decade long study of the area that came out and recommended not just managed lanes for this corridor but others as well.

JANUARY 5, 2016

- There were more lane miles proposed for this type of solution in the City of Charlotte than outside the City of Charlotte. I-77 was just the first portion to be implemented.
- The Governor asked CRTPO to decide whether or not this regional, system-wide strategy was something that CRTPO still wanted to do.
- The Governor was not weighing in saying he had all the answers, all the solutions.
- The Governor wanted to hear from that body that was appropriately constituted to make transportation decisions, CRTPO. If they want to abandon it, then we would re-tool and work through what it would take to come up with another comprehensive strategy for the region, but that's not corridor specific.
- What it means was that if we're not going to proceed with managed lanes, the optional toll road option, then we shouldn't proceed on any of these lanes.

Comments

Commissioner Leake asked why wasn't a company from the U.S. selected for the construction project. The company selected was headquartered in Spain. She expressed concern about the employment of individuals from the region. *Mr. Curran commented on the company's experience with this type of project.*

Commissioner Dunlap noted his opposition to tolls in general. Commissioner Dunlap said he wished the TIP could be a separate issue, because he would not want to sacrifice all the other road projects in Mecklenburg County and in the state for the toll road project.

Commissioner Cotham said she was not opposed to toll roads, but that she was opposed to this particular project because of the 50 year contract with Cintra.

Commissioner Cotham expressed concern for the reputation of the company, as well as, monies going to Spain versus those dollars remaining in the U.S.

She also expressed her concurrence with the concerns expressed by residents of north Mecklenburg.

Commissioner Ridenhour asked about the widening of roads as it related to relieving congestion, which was addressed.

Commissioner James said communication had appeared to be a major problem with this issue.

Commissioner James said he didn't think you should cancel the entire transportation plan because of this one project. He said there was an obligation, however, to try and fix the public perception or the reality of what you're dealing with.

Commissioner James said a solution was needed that brought some level of satisfaction to all parties involved.

Commissioner James said he'd like to know from the Governor was it possible to find some sort of extraordinary funding. Also, was it possible to see if there was something else the company wanted that would allow the other lanes to be built.

Commissioner James said it may be too costly to cancel the contract with the company but perhaps there were some areas that could be negotiated, for example the 50 year deal.

Commissioner James said he was supportive of taking a second look at the I-77 Toll Road Project, but he was not supportive of cancelling the transportation plan.

JANUARY 5, 2016

Commissioner Clarke said although the Board would be taking action to direct his vote at the upcoming CRTPO meeting, the agenda for that meeting had not been prepared or distributed to date.

Commissioner Clarke referenced a letter that he shared with the Board awhile back that was from the Governor, dated December 14, 2015 that addressed what CRTPO was being asked to do.

Commissioner Clarke said the Governor asked the CRTPO to “reaffirm the current strategy for the Charlotte Metropolitan Region at your next meeting or reverse your previous decision, setting in the motion the necessary steps to create a new regional transportation plan.”

Commissioner Clarke said what the Governor was referring to by “the current strategy” was the long term strategy that had been proposed which includes managed lanes on I-77 north and I-485 south and on U.S. 74.

Commissioner Clarke said to his knowledge that would be the question before CRTPO at its next meeting.

Commissioner Clarke said based on Commissioner Puckett’s motion, it appeared that the Board would be directing him to vote against “reaffirming the current strategy,” or if the agenda item was a vote to cancel the I-77 contract that he vote to cancel it.

Commissioner Puckett said Commissioner Clarke’s assumption was correct.

Commissioner Clarke said he would follow the Board’s directive but that he did not think this was the way to do things.

Commissioner Clarke said the CRTPO told the NCDOT for at least the last four or five years that it was supportive of this strategy as evidenced by votes that had occurred and to come now after the contract had been signed, to now say you want to “pull the plug” on the whole thing, wasn’t being a good partner.

Commissioner Clarke said this was not the way to accomplish what was needed for the entire region. He said this strategy had been thought out and worked on for a long time.

Commissioner Puckett said he was asking that the contract be cancelled and that the project be returned to the NCDOT for them to score and manage per their recommendation. He said it’s possible that the NCDOT would come back and say managed lanes was the answer.

Commissioner Puckett said there was a big difference between managed lanes owned and operated by the state of N.C versus managed lanes given to a foreign company for fifty years.

Commissioner Puckett said he was not offering an alternative plan, because he was not the person to do that. He said coming up with an alternative plan was something that the NCDOT would and should be able to do.

Commissioner Puckett asked had it been determined that 74 and 485 would definitively be managed lanes. *Mr. Curran said those roads were currently in the STIP as managed lane projects.*

Mr. Curran said what the Governor had asked was whether or not the strategy of managed lanes for the region was affirmed or turned back.

JANUARY 5, 2016

Mr. Curran said if the answer was that the managed lanes strategy was no longer wanted, then all of the projects that had managed lanes would be pulled back.

Commissioner Puckett said it was the Governor who was saying “all or nothing,” and not him.

Commissioner Puckett said if the argument could be made that managed lanes were the way to go, then the question was about who manages the lanes. He said part of his concern was giving away right-of-way for fifty years to a company that you have to negotiate with. He said if the state maintains its right-of-ways and said managed lanes was a good idea and down the road decided it wasn't, then the state could change it and still own it without any negotiating.

Commissioner Puckett said other parts of 77 had been widened over the years, as well as 74 and that 485 had been built, but nothing had occurred 77 north.

Commissioner Dunlap said he would not want Commissioner Clarke's vote to put the Board in the position of creating inequities, such that the Board would be saying it's okay to have tolls in one area of the county but not in another.

Commissioner Puckett restated his motion as noted below.

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough, that the Mecklenburg Board of County Commissioners directs the Board's representative and/or alternate on the Charlotte Regional Transportation Planning Organization (CRTPO) to support a vote to pull the I-77 contract out of the TIP and ask that it be cancelled and that the project then be placed in the current funding processes to be scored and managed, as per the NCDOT recommendations, such that it was consistent with all regional management plans.

Chairman Fuller said he understood the concerns of residents in the northern part of the County.

Chairman Fuller said he was “disappointed” in the Governor's approach to “ask us to say aye or nay to the strategy,” rather than addressing the issues of the people in the northern part of the county.

Chairman Fuller said the goal needed to be finding a solution that worked, instead of trying to “ram things down people's throats.”

Chairman Fuller said perhaps people did say yes to this strategy four years ago, but now they weren't.

Chairman Fuller said if the problem was with the contract or the way that the plan was put together, then time should be spent making changes to those things, so that it worked for everyone.

Chairman Fuller said at the same time, he didn't think we should jeopardize projects throughout the region.

Chairman Fuller said he was not against the concept of tolls, but that the agreement with Cintra, “just doesn't seem to work.”

Chairman Fuller said he didn't think things would be as they were, had there been an acknowledgement of what people were upset about and a solution sought.

The vote was then taken on the motion as noted below.

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and carried 8-1 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes and Commissioner Clarke voting no, that the Mecklenburg Board of County Commissioners directs the Board's representative and/or alternate on the Charlotte Regional Transportation Planning Organization (CRTPO) to support a vote to pull the I-77 contract out of the TIP and ask that it be cancelled and that the project then be placed in the current funding processes to be scored and managed as per the NC DOT recommendations, such that it is consistent with all regional management plans.

Commissioner Puckett made a second motion as noted below if the agenda item put before the CRTPO was an “all or nothing proposition,” per the Governor’s letter.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake, that the Mecklenburg Board of County Commissioners directs the Board's representative and/or alternate on the Charlotte Regional Transportation Planning Organization (CRTPO) to vote no to managed lanes, if there was not an opportunity to cancel the I-77 contract, that if the only motion made was an all or nothing affirmation of tolls as the preferred way to expand roads in Mecklenburg County, that the Board say we do not support that as the policy.

Commissioner James questioned whether the proposed motion was necessary in light of prior votes on this matter by the Board.

Commissioner Puckett restated the motion as noted and voted on below.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and carried 8-1 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes and Commissioner Clarke voting no, that alternatively, the Mecklenburg Board of County Commissioners directs the Board's representative and/or alternate on the Charlotte Regional Transportation Planning Organization (CRTPO) to vote against a motion to reaffirm the current long term infrastructure strategy for the Charlotte Metropolitan region, which includes managed lanes and set in motion the necessary steps to create a new regional transportation plan.

Commissioner Puckett said the intent of his last motion was not to reject the entire transportation plan. He said it was up to the Governor as to how he interpreted the motion that we do not affirm managed lanes.

Prior to the last vote, Mr. Curran said if the CRTPO voted to no longer follow a strategy of managed lanes, there was a consequence, which was that projects that incorporated a managed lane element, would not go forward.

Mr. Curran said the Governor did not set the plans that were a part of the transportation plan. He said the CRTPO did that.

Mr. Curran said the Governor asked this of the CRTPO because of the strategy that informs the north project and other projects, and in response to the public’s sentiment. He said the Governor felt the CRTPO should reevaluate this policy and decide whether or not it wanted to continue to do this or not.

Mr. Curran said if it was the sentiment of the CRTPO to no longer follow that strategy, for whatever reason, then those projects do not go forward.

JANUARY 5, 2016

Mr. Curran said if you're not going to follow that strategy, then you have to go back and re-tool and determine what those strategies were.

Note: The above was not inclusive of every comment regarding this topic but was a summary of key points.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

16-3021 ARCHITECT SELECTION -- QUEEN'S TENNIS COMPLEX AT MARION DIEHL

Authorize the County Manager to negotiate a fee and execute a contract with Woolpert, Inc. for Architectural/Engineering Services for the Queen's Tennis Complex at Marion Diehl, and in the event that negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm, C design, Inc.

16-3032 MINUTES

Approve Minutes of Regular meeting held December 15, 2015 and Closed Session held December 15 and December 1, 2015.

16-3034 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$1,673 for Asset and Facility Management and \$4,831 for Park and Recreation.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

16-3035 RIGHT-OF-WAY ABANDONMENT -- PROGRESS PARK

Authorize the County Manager to file a Right-of-Way Abandonment petition with the City of Charlotte Department of Transportation requesting closure of a portion of a 10' alley that bisects County owned property between Umstead and Parsons Streets (+/- 1,440 SF) in the Villa Heights neighborhood and to accept the closed right-of-way into County owned property at Progress Park.

16-3039 HAZARD MITIGATION PROGRAM -- FY16 FLOODPLAIN ACQUISITIONS

1. Accept the Offer of Sale of Real Estate from Brenda Jackson, owner of property at 3425 Johnny Cake Lane (Tax Parcel 209-112-06), for \$375,000.
2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: This acquisition was being done through the County's Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

THIS CONCLUDED ITEMS APPROVED BY CONSENT

**16-3016 BUDGET AMENDMENT -- LAND USE & ENVIRONMENTAL SERVICES AGENCY
(REVENUE INCREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate \$75,000 from N.C. Fuel Tax revenue to be used for the procurement of CROMERR-compliant software and authorize the carry-forward of any unspent funds to subsequent years until project completion.

Commissioner Leake removed this item from Consent for more public awareness.

**16-3025 GRANT APPLICATION -- JOHN D. AND CATHERINE T. MACARTHUR
FOUNDATION SAFETY AND JUSTICE CHALLENGE IMPLEMENTATION GRANT**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the submission of a grant application for funding in the amount of \$4,000,000 over two years from the John D. and Catherine T. MacArthur Foundation and if awarded, recognize, receive and appropriate such funds for the grant period.

Note: In May 2015, the John D. and Catherine T. MacArthur Foundation provided Mecklenburg County with a \$150,000 Safety + Justice Challenge planning grant to rigorously examine how our jail is being utilized and develop strategies to meet the Safety + Justice Challenge goals. These goals are to reduce incarceration without compromising public safety and to diminish ethnic and racial disproportionality and disparities across the adult criminal justice system. Mecklenburg County was one of twenty sites around the nation to be selected for this challenge. Of the twenty sites, ten sites will be selected to receive implementation funding for the next two years.

Chairman Fuller removed this item from Consent for more public awareness.

**16-3026 GRANT APPLICATION -- THE WISH YOU WELL FOUNDATION (PARK AND
RECREATION)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve application for up to \$10,000 for a Wish You Well Foundation Grant and if awarded, recognize, receive and appropriate awarded funds.

Note: Mecklenburg County Park and Recreation Department is requesting approval to apply for and receive, if awarded, a Wish You Well Foundation Grant up to \$10,000 for the installation of

JANUARY 5, 2016

an Interactive Story Walk on Mallard Creek/Clarks Creek Greenway and three (3) mobile story walk kits to be rotated throughout the county.

Commissioner Leake removed this item from Consent for more public awareness.

16-3029 GRANT APPLICATION -- GOVERNOR'S CRIME COMMISSION (SHERIFF'S OFFICE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the submission of various grant applications offered by the N.C. Department of Public Safety - Governor's Crime Commission. These include grants for the following:

- Jail Intervention Programs - Grant will provide programs for youthful offenders to address practical life skills development and provide job seeking/keeping training that can add to a successful re-entry process.
- Gang Prevention & Intervention - Grant will provide funding to develop gang prevention and intervention initiatives.
- Specialty Docket Programs - Grant will provide an additional office staff member for the Domestic Violence Office in Civil Court to allow the essential duties of the Office to be shared and provide the necessary relief factor eliminating the need to take a Deputy Sheriff out of the field to provide coverage.
- Statewide Infrastructure and Technology Improvement Initiative - Grant will provide funding to replace the Automated Sex Offender Monitoring System (ASOM).
- Body-worn Video Cameras - State grant funds to implement a body-worn camera program in our Field Operations and Courts Division.

Commissioner Leake removed this item from Consent for more public awareness.

16-3041 LEASE EXTENSION -- DSS, CHILD SUPPORT ENFORCEMENT, AND COMMUNITY CORRECTIONS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute a lease extension with Charlotte East, LLC for office space for DSS, Child Support Enforcement, and Community Corrections.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:32 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman